

BY adding to

Article 21 - Procurement
Section 9-109.1
Annotated Code of Maryland
(1981 Replacement Volume and 1984 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 21 - Procurement

9-107.

(a) This subtitle applies to any transportation agency that desires to procure architectural or engineering services [over \$50,000].

9-109.

(a) (1) The recommendation of the Transportation Selection Board for the procurement and award of each contract for architectural and engineering services ~~costing over \$50,000-~~ \$100,000- shall:

(i) Be made on a competitive basis; and

(ii) Include an evaluation of technical [and price proposals] PROPOSALS AND QUALIFICATIONS from two or more persons.

[(2) Neither the technical proposal nor the price proposal may be the sole criterion in making a recommendation on a competitive basis.]

~~(2) (1) THE TRANSPORTATION SELECTION BOARD SHALL MAKE ITS RECOMMENDATION FOR THE AWARD OF ALL CONTRACTS ON THE BASIS OF NEGOTIATION--AND IN ACCORDANCE WITH RULES AND REGULATIONS ADOPTED BY THE TRANSPORTATION SELECTION BOARD.~~

~~(ii)~~ THE TRANSPORTATION SELECTION BOARD AGENCY SHALL NEGOTIATE A CONTRACT WITH THE MOST QUALIFIED FIRM AT A RATE OF COMPENSATION THAT THE TRANSPORTATION SELECTION BOARD AGENCY DETERMINES IS FAIR, COMPETITIVE, AND REASONABLE. IN MAKING THAT DETERMINATION, THE TRANSPORTATION SELECTION BOARD AGENCY SHALL:

1. CONSIDER THE SCOPE AND COMPLEXITY OF THE PROFESSIONAL SERVICES REQUIRED; AND

2. CONDUCT A DETAILED ANALYSIS OF THE COST OF THE SERVICES.